

Art Unit: 1645

DETAILED ACTION

After Final Amendment

1. Applicant's after final amendment filed on 4/1/2010 is acknowledged and entered.

Status of claims

2. Claims 1-25, 28, 30-41, 51, 53 and 55 are cancelled.
Claims 26, 42, 47, 48 and 54 have been amended.
Claims 26-27, 29, 42-50, 52 and 54 are pending and are under examination.

Terminal Disclaimer

3. The terminal disclaimer filed on 4/1/2010 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent 7,642,341 has been reviewed and is accepted. The terminal disclaimer has been recorded. Therefore, the obviousness-type double patenting rejection over U.S. Patent 7,642,341 is no longer applicable.

Claim Rejections - 35 USC § 112 withdrawn

4. In view of amendment to the claim 26, the rejection under 35 U.S.C. 112, second paragraph is withdrawn.

Claim Rejections - 35 USC § 112 withdrawn

5. In view of amendment to the claims 26, 42, 47, 48 and 54, the written description rejection and enablement rejections of record are withdrawn.

Claim Rejections - 35 USC § 102 and 35 USC § 103 withdrawn

6. In view of amendment to the claims 26, 42, 47, 48 and 54, the rejections of record under 35 U.S.C. § 102(b) and 35 U.S.C. 103(a) are withdrawn.

Examiner's amendment

7. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Art Unit: 1645

Authorization for this examiner's amendment was given in a telephone interview with Frank C. Eisenschenk, Ph.D on 4/19/2010 and the application has been amended as follows:

Claim 29 (Currently Amended). The labeled angiogenesis inhibiting molecule according to claim 26, wherein said labeled angiogenesis inhibiting molecule:

- a) blocks angiogenesis *in vitro* and *in vivo*;
- b) ~~prevents~~ reduces tumor growth *in vivo*;
- c) reduces the recruitment of macrophages into tumors; and
- d) blocks the interaction of JAM-C with JAM-B.

Reasons for Allowance

8. The claims are now novel and do not read on the prior art Aurrand-Lions et al as humanized H33 antibody or the hybridoma producing the H33 antibody which blocks angiogenesis, reduces tumor growth, reduces the recruitment of macrophages into tumors and blocks the interaction of JAM-C with JAM-B is neither disclosed nor suggested.

Remarks

9. Claims 26-27, 29, 46-50, 52, 54 and 42-45 are allowed and have been renumbered as 1-14 respectively.

Conclusion

10. Papers related to this application may be submitted to Group 1600, AU 1165 by facsimile transmission. Papers should be transmitted via the PTO Fax Center, which receives transmissions 24 hours a day and 7 days a week. The transmission of such papers by facsimile must conform to the notice published in the Official Gazette, 1096 OG 30, November 15, 1989. The Right Fax number is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PMR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PMR system, see <http://pair-direct.uspto.gov>. Should

Art Unit: 1645

you have questions on access to the Private PMR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Padma Baskar Ph.D., whose telephone number is ((571) 272-0853. A message may be left on the Examiner's voice mail system. The Examiner can normally be reached on Monday to Friday from 6.30 a.m. to 4.00 p.m. except First Friday of each bi-week.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor and Robert B. Mondesi on 571) 272-0956.

Respectfully,
/Padma V Baskar/
Examiner, Art Unit 1645

/Robert B Mondesi/
Supervisory Patent Examiner, Art Unit 1645